

In the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1-19. (Cancelled)

20. (Currently Amended) A method of providing a constant or substantially constant force for correcting spinal deformities in a human patient, comprising:

applying a correction force having a predetermined amount to the deformed portion of the patient's spine, the correction force being generated by a superelastic material at the patient's body temperature and in an austenite phase of the superelastic material, the superelastic material having a transition temperature ( $A_f$ ) within the range of the ~~patient's~~ human body temperature; and

maintaining the correction force at the predetermined amount until the spinal deformities are fully or substantially fully corrected;

wherein the correction force is constant or substantially constant and controllable during spinal deformity correction, and wherein the spinal deformity is a deformity of scoliosis, kyphosis, or lordosis.

21. (Original) The method of claim 20, wherein the predetermined amount of the correction force can be adjusted.

22. (Original) The method of claim 20, wherein the correction force is activated during the spine correction surgery.

23-27. (Cancelled)

28. (Original) The method of claim 20, wherein the correction force is applied to the deformed spine portion from the anterior aspect of the spine.

29. (Original) The method of claim 20, wherein the correction force is applied to the deformed spine portion from the posterior aspect of the spine.

30-31. (Cancelled)

32. (Previously Presented) The method of claim 20, wherein the superelastic material forms a correction device to assume the normal kyphosis and lordosis of the spine.

33. (Previously Presented) The method of claim 32 further comprising deforming the correction device to conform to the portion of the spine to be corrected.

34. (Previously Presented) The method of claim 32 further comprising limiting the correction device from movement.

35. (Previously Presented) The method of claim 32 further comprising limiting the correction device from a rotation movement.

36. (Currently Amended) A method of providing a constant or substantially constant force for correcting spinal deformities of a human patient, the method comprising:

providing a supporting member comprising a superelastic material for generating a correction force having a predetermined amount, the superelastic material having a transition temperature ( $A_c$ ) within the range of human body temperature ~~of the patient~~; and

maintaining the correction force at the predetermined amount until the spinal deformities are fully or substantially fully corrected;

wherein the supporting member generates the correction force at the patient's body temperature and in an austenite phase of the superelastic material, and wherein the spinal deformity being corrected is a deformity of scoliosis, kyphosis, or lordosis.

37. (Previously Presented) The method of claim 36 further comprising deforming at least a portion of the supporting member to conform to the spinal deformities.

38. (Previously Presented) The method of claim 36, wherein the predetermined amount of the correction force can be adjusted.

39. (Previously Presented) The method of claim 36, wherein the correction force is activated during the spine correction surgery.

40. (Previously Presented) The method of claim 36 further comprising pre-contouring the supporting member to assume the normal kyphosis and lordosis of the spine.

41. (Previously Presented) The method of claim 36 further comprising limiting the supporting member from movement.

42. (Previously Presented) The method of claim 36 further comprising limiting the supporting member from a rotation movement.

43. (Previously Presented) The method of claim 36 further comprising providing an anchor member for mounting the supporting member to the deformed spine portion.

44. (Previously Presented) The method of claim 43, wherein the anchor member comprises a superelastic material.

45. (Cancelled)

46. (Currently Amended) A method of correcting a spinal deformity of a recipient, the method comprising:

applying a supporting member comprising a superelastic material to a deformed spinal portion of a recipient;

generating a correction force at the recipient's body temperature and in an austenite phase of the superelastic material, the superelastic material having a transition temperature ( $A_f$ ) within the range of the recipient's human body temperature; and

maintaining the correction force until the spinal deformity is fully or substantially fully corrected, wherein the spinal deformity is a deformity of scoliosis, kyphosis, or lordosis.

47. (Previously Presented) The method of claim 20, wherein the correction force is not remotely activated.

48. (Previously Presented) The method of claim 36, wherein the correction force is not remotely activated.

49. (Previously Presented) The method of claim 46, wherein the correction force is not remotely activated.